



Atty. Dkt. No. 065691-0332

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Marco Ciufolini et al.

Title: 2-(3-AMINOARYL)AMINO-4-ARYL-THIAZOLES FOR THE
TREATMENT OF DISEASES

Appl. No.: 10/632,101

Filing Date: 08/01/2003

Examiner: Laura Stockton

Art Unit: 1626

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the restriction requirement set forth in the Office Action mailed April 15, 2005.

A. Restriction Requirement

The Examiner has required restriction between one of the following groups:

- I. Claims 1, 29, 30, 34-39, 41-44, 46, 48, 50-52 and 54, drawn to products of Formula I wherein R⁶ is of definition (i) or (iv) {e.g., aryl or H, Halogen, NH₂, NO₂ or SO₂-R}, classified in class 548, subclass 146+;
- II. Claims 1, 29-34, 37-49 and 51-54, drawn to products of Formula I wherein R⁶ is of definition (ii) or (iii) {e.g., heteroaryl or a five-membered ring aromatic heterocyclic group}, classified in class 544/405 and 546/270.4;

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III. Claims 55-60, drawn to methods of using products of Formula I wherein R⁶ is of definition (i) or (iv) {e.g., aryl or H, Halogen, NH₂, NO₂, or SO₂-R}, classified in class 514, subclass 342; or

IV. Claims 55-60, drawn to methods of using products of Formula I wherein R⁶ is of definition (ii) or (iii) {e.g., heteroaryl or a five-membered ring aromatic heterocyclic group}, classified in class 514, subclass 252.1+.

The Examiner also requires election of a single disclosed species (e.g., Example number, page number and structural depiction) from whichever group is ultimately elected, even if the requirement is traversed. According to the Examiner, the restriction requirement and election of species requirement is proper, because the claims recite multiple independent and distinct inventions.

B. Interview Summary

Examiner Stockton agreed to speak with Applicants' representative on July 14, 2005, regarding the restriction requirement. Specifically, Applicants wish to pursue claims drawn to products of Formula I wherein R⁶ is of the definitions set forth as (i) and (ii) as part of the same group. After discussing Applicants wishes, Examiner Stockton agreed to redefine Group II to include R₆ definitions (i), (ii), and (iii). Group II will not include R₆ definition (iv). Applicants appreciate Examiner Stockton's cooperation in making this change.

C. Election

While not necessarily acquiescing in the reasons proffered for restrictions, Applicants elect Group II without traverse. The lack of traverse is contingent on Group II including R₆ according to definitions (i), (ii), and (iii). As redefined, claims 1, 29-49, and 51-54 read on Group II.

In addition, Applicants elect as the species compound number 80, which is depicted at pages 64-65. Applicants understand that this is an election of species requirement and that the

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search will be expanded to a reasonable number of other species upon finding the elected species allowable.

The examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date July 15, 2005

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